

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DT05-8837-PCT/EP 18 FEB 2005

In re Application of:

IVANOVA et al.

International Application No. PCT/EP2003/009291

Serial No. NOT YET ASSIGNED

International Filing Date: 21 August 2003 (21.08.2003)

Filed: Feb. 18, 2005For: **INDUCIBLE ALPHAVIRAL/ORIP BASED GENE EXPRESSION SYSTEM**TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

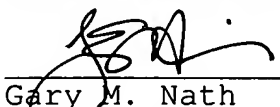
Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Transmittal Letter To U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371
- (3) International Publication No: WO 2004/018506 A2 & A3 with International Publication Date: 4 March 2004 (04.03.2004) and International Search Report; which consists of 112 pages including:
  - 1 page cover sheet,
  - 59 pages Textual Specification,
  - 14 pages of 85 claims,
  - 1 page of the Abstract,
  - 1 sheet of Drawings with abstract;
  - 36 page Sequence Listing;
- (4) **Preliminary Amendment with Attachment A to be examined;**
- (5) Unexecuted Inventor's Declaration;
- (6) PCT/IPEA/409 and PCT/IPEA/416 International Preliminary Examination Report;
- (7) Check No. 22627 \$4,500.00 for Government Filing Fee and additional claims fee;
- (8) Postcard for early notification of serial number.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

By:

  
\_\_\_\_\_  
Gary M. Nath  
Registration No. 26,965  
Tanya E. Harkins  
Registration No. 52,993  
Customer No. 20529

Date: Feb 18, 2005  
NATH & ASSOCIATES PLLC  
1030<sup>th</sup> 15<sup>TH</sup> Street, NW - 6<sup>th</sup> Floor  
Washington, D.C. 20005  
GMN/TEH/ng/PCT.NATLphase.JLM

ATTORNEY'S DOCKET NO: 26602U

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE: 18 February 2005 (18.02.2005)
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. 10/524818 Not Yet Assigned
INTERNATIONAL APPLICATION NO.: PCT/EP2003/009291	INTERNATIONAL FILING DATE: 21 August 2003 (21.08.2003)	PRIORITY DATE CLAIMED: 22 August 2002 (22.08.02) US 11 December 2002 (11.12.02) US
TITLE OF INVENTION: INDUCIBLE ALPHAVIRAL/ORIP BASED GENE EXPRESSION SYSTEM		
APPLICANT(S) FOR DO/EO/US: IVANOVA, Lidia; RENNER, Wolfgang; SAUDAN, Philippe		
<p>Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This express request to begin national examination procedures (35 USC 371(f)) The submission must include items(5), (6), (9) and (21) indicated below.</li> <li><input checked="" type="checkbox"/> The US has been elected.</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):             <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ol> </li> <li><input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p>ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</p> <ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</li> <li><input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</li> <li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</li> <li><input type="checkbox"/> Other items or information: TRANSMITTAL FORM; FEE CALCULATION; INTERNATIONAL PUBLICATION WO 2004/018506 A2 &amp; A3 WITH INTERNATIONAL PUBLICATION DATE 4 MARCH 2004 (04.03.2004) WITH INTERNATIONAL SEARCH REPORT; WHICH CONSISTS OF 112 PAGES INCLUDING: 1 PAGE COVER SHEET, 59 PAGES TEXTUAL SPECIFICATION, 14 PAGES OF 85 CLAIMS; 1 PAGE OF THE ABSTRACT; 1 SHEET OF DRAWINGS WITH ABSTRACT, 36 PAGE SEQUENCE LISTING; PRELIMINARY AMENDMENT WITH ATTACHMENT A TO BE EXAMINED; UNEXECUTED INVENTOR'S DECLARATION; PCT/IPEA/416 &amp; 409 INTERNATIONAL PRELIMINARY EXAMINATION REPORT</li> </ol>		

107524818

U.S. APPLICATION NO.  
(if known) not yet assigned

INTERNATIONAL APPLICATION NO.

DATE: 18 February 2005 (18/02.2005)

**10/524818**

PCT/EP2003/009291

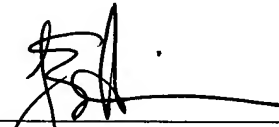
- a. ☒ One check in the amount of \$ 4,500.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 14-0112 in the amount of \$ \_\_\_\_\_ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0112.
- d. Fees are to be charged to a credit card ☐ WARNING: Information on this form may become public ☐ Credit Card Information should not be included on this form. ☐ Provide credit card information and authorization on PTO-2038

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

Gary M. Nath  
NATH & ASSOCIATES PLLC  
1030 15<sup>th</sup> Street, N.W.  
Sixth Floor  
Washington, D.C. 20005

(202) 775-8383 (phone)  
(202) 775-8396 (fax)

  
\_\_\_\_\_  
Gary M. Nath  
Registration Number 26,965  
Tanya E. Harkins  
Registration No. 52,993  
Customer No. 20529